

Appln. No. 09/922,059

Attorney Docket No. 10541-562

III. Remarks

Claims 1-20 are rejected and pending. Claims 21-34 have been withdrawn from consideration and Applicants hereby affirm that an election to prosecute claims 1-20 has been made. Moreover, claims 21-34 have been cancelled. With the remarks provided below, Applicants respectfully request reconsideration and a withdrawal of all rejections and objections.

Responsive to the objections to the specification, the specification has been amended to correct the informalities cited by the Examiner. More specifically, the serial numbers for the patent applications cited on pages 13 and 20 of the present application have been inserted.

Responsive to the rejections of claims 1-20 under 35 U.S.C. 103(a) over *Ekendahl et al.* (USPN 6,372, 176) in view of *Chun et al.* (USPN 6,379,606) and GB Patent 1 242 509 ("GB '509"), the references cannot be properly combined since *Chun et al.* teach away from at least one embodiment of *Ekendahl et al.* It is improper to combine references where the references teach away from their combination. MPEP § 2145. *Ekendahl et al.* teach a twin sheet forming system and method used to form a hollow article such as an automotive fuel tank from first and second sheets of thermoplastic material. *Ekendahl et al.* teach first and second sheets that may be simultaneously transferred to first and second forming stations, respectively, positioned adjacent one another in side by side relationship, and allows for the use of plug assists. Col. 5, lines 64-66; see also Col. 6, lines 10-12 and Col. 5, lines 13-16.

On the other hand, *Chun et al.* teach a twin sheet thermoforming method and apparatus wherein a side by side simultaneous transfer of two sheets is not required when using plug assist tooling to form each piece. The twin sheet thermoforming method and apparatus uses a rotary wheel to carry each of a series of clamping frames for releasably holding sheets to be formed through successive processing stations. *Chun et al.* teach that side-by-side simultaneous transfer of two clamp frames and sheets requires a large oven for heating both sheets at once, and also makes it difficult to carry out different degrees of heating for different sheet

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thicknesses. *Chun et al.* teach away from at least one of the embodiments taught in *Ekendahl et al.*, i.e. simultaneous transfer of sheets. Additionally, there is no suggestion or motivation for the combination of *Ekendahl et al.* over *Chun et al.* and GB '509. The combination of *Chun et al.* and *Ekendahl et al.* is impermissible. A withdrawal of the rejections is respectfully requested.

Responsive to the rejections of dependent claims 2, 4, 8, 13, and 19, claims 2, 4, 8, 13, and 19 generally depend from claim 1. For the reasons provided above, claims 2, 4, 13, and 19 are allowable.

Thus, claims 1-20 are in a condition for allowance and such action is earnestly solicited.

Respectfully submitted,

May 27, 2004

Date



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Attachment: None

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